

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDER NO. 99-45

Authorizing Amendment to Purchase and Sale Agreement to Purchaser WAXMAN & ASSOCIATES, INC..

The Multnomah County Board of Commissioners Finds:

- a) Purchaser WAXMAN & ASSOCIATES, INC. has requested an extension of closing date to September 28, 1999 from the original deadline of November 24, 1998 as stated in the Purchase and Sale Agreement recorded October 8, 1998, in the Multnomah County Deed Records at Book 98 and Page 181690.
- b) Extension is being requested in order to complete environmental testing required by Purchaser's underwriter and the Oregon Department of Environmental Quality (DEQ) and to complete negotiations with DEQ for the Propsective Purchasers Agreement (PPA).

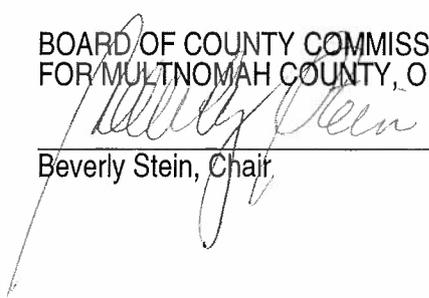
The Multnomah County Board of Commissioners Orders:

1. The Chair of Multnomah County Board of Commissioners is authorized to execute the attached amendment to the original Purchase and Sale Agreement to purchaser WAXMAN & ASSOCIATES, INC..

Adopted this 25th day of March, 1999.

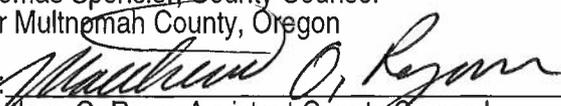


BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON


Beverly Stein, Chair

REVIEWED:

Thomas Sponsler, County Counsel
For Multnomah County, Oregon

By: 
Matthew O. Ryan, Assistant County Counsel

SECOND AMENDED REAL ESTATE
PURCHASE AND SALE AGREEMENT

RECITALS

1. Multnomah County, Oregon (Seller) and Waxman & Associates, Inc. (Purchaser) entered into a Purchase and Sale Agreement (Agreement) signed by Multnomah County Chair Beverly Stein on September 24, 1998, said Agreement is recorded in the County Deed Records at entry No. 98181690 for the real property described as:

LOTS 10-12, BLOCK 13, MILLERS ADDITION, a recorded subdivision in the County of Multnomah, and State of Oregon.

2. On or about December 7, 1998, Seller and Purchaser entered into agreement to extend the closing date (Extension) to February 28, 1999. The Extension is recorded in the County Deed Records at Entry No. 98223419.
3. The Purchaser requests an additional extension of the closing date to September 28, 1999 in order to complete environmental testing required by Purchaser's underwriter and the Oregon Department of Environmental Quality (DEQ) and to complete negotiations with DEQ for the Prospective Purchasers Agreement (PPA).

WHEREFORE, THE PARTIES NOW AGREE TO AMEND THE ORIGINAL PURCHASE AND SALE AGREEMENT AS FOLLOWS:

1. Extension of Closing Date: Seller agrees to extend the closing date to September 28, 1999.
2. Testing Approval: Purchaser shall receive written approval from DEQ for all environmental testing at the site, including the use of a "Geoplug". Purchaser shall provide a copy of the written approval to Seller prior to commencement of any testing. Purchaser shall coordinate all environmental testing with Gary Thomas, Multnomah County's Tax Foreclosed Property Coordinator. Purchaser shall undertake no testing or other activity that in any way aggravates, spreads or exacerbates any hazardous or contaminated environmental condition at the site.
3. Reporting Requirement: Purchaser shall provide Seller with a report by April 15, 1998 as to the status of the environmental testing and Purchaser's intention to continue or terminate the agreement.
4. Continuance: Except as amended herein, all other terms and conditions of the Agreement shall remain in full force and effect.

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5. Effective Date: This Amended Agreement is effective upon signature of both parties.

BOARD OF COUNTY COMMISSIONERS
MULTNOMAH COUNTY, OREGON

By: *Beverly Stein*
Beverly Stein, Chair

Date: March 25, 1999



REVIEWED:

THOMAS SPONSLER, COUNTY COUNSEL for
Multnomah County

By: *Matthew O. Ryan*
Matthew O. Ryan
Assistant County Counsel

PURCHASER

Loren J. Waxman
Loren J. Waxman, President
Waxman & Associates, Inc.

Date: 3/9/99

